

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**FOR PLANT PATENT APPLICATION (Sole Inventor)**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of a new and distinct variety of a rose plant named KORpancom which is claimed and for which a plant patent is sought, the specification of which is attached hereto, and that I have reviewed and understand the contents of the above-identified specification, including the claim.

I hereby state that I did asexually reproduce the new and distinct variety.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, plant breeders rights certificate, or inventor's certificate listed below and have also identified below any foreign application for patent, plant breeders rights certificate, or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) |                          |  | Priority<br>Claimed   |
|------------------------------|--------------------------|--|---|
| ROS1808<br>(Number)          | German<br>(Country)      | 30 July 1998<br>(Day/Month/Year Filed) | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 9-27-1513<br>(Number)        | Switzerland<br>(Country) | 28 May 1999<br>(Day/Month/Year Filed)  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number:



24197

| Name                  | Reg. No. | Name                    | Reg. No. |
|-----------------------|----------|-------------------------|----------|
| BUNKER, Gillian       | 47,461   | NOONAN, William D.      | 30,878   |
| BURG, Daniel B.       | 41,649   | ORR, David E.           | 44,988   |
| CALDWELL, Lisa M.     | 41,653   | PETERSEN, David P.      | 28,106   |
| CARLSON, Anne         | 47,472   | POLLEY, Richard J.      | 28,107   |
| GIRARD, Michael P.    | 38,467   | RINEHART, Kyle B.       | 47,027   |
| HAENDLER, Jeffrey B.  | 43,652   | RUPERT, Wayne W.        | 34,420   |
| HARDING, Tanya M.     | 42,630   | RYBAK, Sheree L.        | 47,913   |
| JAKUBEK, Joseph T.    | 34,190   | SCOTTI, Robert F.       | 39,830   |
| JONCUS, Stephen J.    | 44,809   | SIEGEL, Susan Alpert    | 43,121   |
| JONES, Michael D.     | 41,879   | SLATER, Stacey C.       | 36,011   |
| KLARQUIST, Kenneth S. | 16,445   | STEPHENS Jr., Donald L. | 34,022   |
| KLITZKE II, Ramon A.  | 30,188   | STUART, John W.         | 24,540   |
| LEIGH, James S.       | 20,434   | VANDENBERG, John D.     | 31,312   |
| MCLEOD, Richard D.    | 46,921   | WHINSTON, Arthur L.     | 19,155   |
| MAURER, Gregory L.    | 43,781   | WIGHT, Stephen A.       | 37,759   |
| MIRHO, Charles A.     | 41,199   | WINN, Garth A.          | 33,220   |

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Address all correspondence to:

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Portland, Oregon 97204

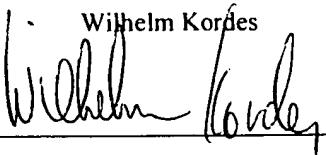
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of Sole Inventor:

Wilhelm Kordes

Inventor's Signature



December 10, 2001

Date

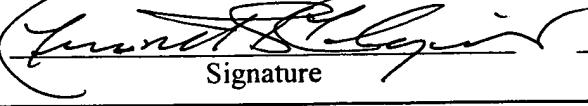
Residence: RosenstraBe 54, 25365 Klein Offenseh, Sparrieshoop, Germany

Citizenship: German

Post Office Address: RosenstraBe 54, 25365 Klein Offenseh, Sparrieshoop, Germany

**RECORDATION FORM COVER SHEET - PATENTS ONLY**

BOX PATENT APPLICATION  
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|  |   |
|--|---|
| <b>1. Total number of pages including cover sheet, attachments and document:</b> 3   |   |
| <b>2. Name of Conveying Party(ies) and Execution Date(s) of Document(s)</b> <input type="checkbox"/> Check here if additional name(s) attached<br>Name(s): Wilhelm Kordes<br>Execution Date(s): December 10, 2001  |   |
| <b>3. Name and address of receiving party</b> <input type="checkbox"/> Check here if additional name(s) & address(es) are attached<br>Name Jackson & Perkins Wholesale, Inc.<br>Address 2518 South Pacific Highway<br>City Medford State/Country Oregon Zip 97501  |   |
| <b>4. Nature of Conveyance</b><br><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Name Change <input type="checkbox"/> Other:  |   |
| <b>5. Total number of applications and patents involved:</b> 1   |   |
| <b>6. Total Fee Enclosed (37 C.F.R. § 3.41):</b> \$40.00   |   |
| <b>7. <input checked="" type="checkbox"/> Check here if any deficiency/overpayment is authorized to be charged to deposit account 02-4550</b>  |   |
| <b>8. Enter either the Execution date (of the Declaration and Power of Attorney), Application Number, or the Patent Number. Do not enter more than one number for the same patent.</b><br>A. <input checked="" type="checkbox"/> This document is being filed with a new application. Execution date is: <u>December 10, 2001</u><br>B. <input type="checkbox"/> Patent Application No.(s) or Patent No.(s): _____<br><input type="checkbox"/> Check here if additional numbers are attached |   |
| <b>9. Correspondent's name, address, and telephone number</b><br>Kenneth S. Klarquist<br>Klarquist Sparkman, LLP<br>One World Trade Center, Suite 1600<br>121 S.W. Salmon Street<br>Portland, Oregon 97204-2988<br>Telephone: 503-226-7391   |   |
| <b>10. <input checked="" type="checkbox"/> Please return the attached postcard to confirm that these items have been received.</b>   |   |
| <b>11. Statement and signature</b> <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>   |   |
| Kenneth S. Klarquist<br>Name of Person Signing   | <br>Signature |
| December 14, 2001<br>Date  |   |

## A S S I G N M E N T

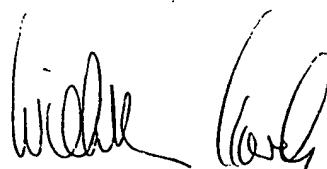
WHEREAS, I, WILHELM KORDES, of Rosenstr. 54, D-25365 Klein Offenseth, Sparrieshoop, Germany, have originated a new variety of rose plant entitled FLORIBUNDA ROSE PLANT NAMED 'KORPANCOM,' for which we are making application for Plant Patent of the United States, said application having been executed by me concurrently herewith; and

WHEREAS, Jackson & Perkins Wholesale, Inc., a corporation organized under the laws of the State of Delaware, having a place of business at 2518 S. Pacific Highway, P.O. Box 9100, Medford, Oregon 97501, desires to acquire an interest therein:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I, WILHELM KORDES, hereby sell, assign and transfer to JACKSON & PERKINS WHOLESALE, INC. the full and exclusive right, title and interest for the territory of the United States of America in and to the rose variety described in the specification executed by me concurrently herewith preparatory to obtaining a Plant Patent of the United States therefor; said rose variety, application and plant patent in the United States of America, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by JACKSON & PERKINS WHOLESALE, INC., for its own use and benefit, and for its successors and assigns to the full end of the term for which plant patents may be granted in the United States of America, as fully and entirely as the same would have been held by me had this assignment and sale not been made, and covenant that I have full right so to do, and agree that I will communicate to JACKSON & PERKINS WHOLESALE, INC., or its successors and assigns, any facts known to me respecting said rose variety, and

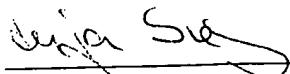
testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid JACKSON & PERKINS WHOLESALE, INC., its successors and assigns to obtain and enforce proper patent protection for said rose variety in the United States of America.

Executed at Sparrieshoop, Germany, this 10th day of December, 2001.

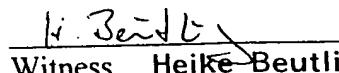


WILHELM KORDES

In the presence of:



Witness Anja Sievers



Witness Heike Beutling